

STATE OF UTAH



OFFICE OF THE LIEUTENANT GOVERNOR

CERTIFICATE OF WITHDRAWAL

I, SPENCER J. COX, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, HEREBY CERTIFY THAT there has been filed in my office a notice of withdrawal of the JORDAN VALLEY WATER CONSERVANCY DISTRICT, dated May 9th, 2018, complying with Section 17B-1-512, Utah Code Annotated, 1953, as amended.

NOW, THEREFORE, notice is hereby given to all whom it may concern that the attached is a true and correct copy of the notice of withdrawal, referred to above, on file with the Office of the Lieutenant Governor pertaining to JORDAN VALLEY WATER CONSERVANCY DISTRICT, located in Salt Lake County, State of Utah.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 23rd day of May, 2018 at Salt Lake City, Utah.



A handwritten signature in black ink, appearing to read "Spencer J. Cox".

SPENCER J. COX
Lieutenant Governor



JORDAN VALLEY WATER
CONSERVANCY DISTRICT

Delivering Quality Every Day

8215 South 1300 West • West Jordan, UT 84088 • Ph: 801.565.4300 • www.jvwcd.org

Richard P. Bay, *General Manager/CEO*

Barton A. Forsyth, *Assistant General Manager, Water Supply/Water Quality*

Alan E. Packard, *Assistant General Manager, Chief Engineer*

Board of Trustees

Corey L. Rushton, *Chair*

Scott L. Osborne, *Vice-Chair*

Greg R. Christensen

Wm. Brent Johnson

Karen D. Lang

Chad G. Nichols

Stephen W. Owens

Ronald E. Sperry

John H. Taylor

May 10, 2018

Mr. Spencer J. Cox, Lieutenant Governor
Utah State Capitol Complex, Suite 220
Salt Lake City, UT 84114

Subject: Notice of Boundary Action

Dear Lieutenant Governor Cox,

Jordan Valley Water Conservancy District (Jordan Valley) was established in 1951, in accordance with the Utah Water Conservancy District Act, to develop and deliver water supplies to the public residing within its service area. The Jordan Valley Board of Trustees recently learned that certain areas in South Salt Lake City (the "Lands") have been listed within the service area of Jordan Valley and that those landowners pay property taxes to Jordan Valley, even though Jordan Valley has not, does not, and will not provide water service to those Lands. The areas actually are provided with culinary water by Salt Lake City. Therefore, it would be more equitable to withdraw those Lands in South Salt Lake City from Jordan Valley and thereby end the payment of taxes to Jordan Valley. Accordingly, the Jordan Valley Board of Trustees recently adopted Resolution No. 18-01 which approved the withdrawal of those Lands from the Jordan Valley boundaries.

Jordan Valley hereby submits with this Notice a copy of Resolution No. 18-01 and the approved, final local entity plats as required by Utah Code Ann. §17B-1-512 and §67-1a-6.5. I hereby verify, on behalf of Jordan Valley, that all requirements applicable to the withdrawal and to the boundary action have been met. Thank you for your assistance with this matter. Please call me at 801-565-4300 if you have any questions.

Best Regards,

Richard P. Bay
General Manager/CEO

jr

encl:



JORDAN VALLEY WATER
CONSERVANCY DISTRICT

RESOLUTION OF THE BOARD OF TRUSTEES

RESOLUTION NO. 18-11*

APPROVING THE WITHDRAWAL OF LANDS FROM
JORDAN VALLEY WATER CONSERVANCY DISTRICT
(SOUTH SALT LAKE CITY)

- A. WHEREAS, certain lands (as generally described and depicted on attached Exhibit 1, and collectively referred to as the "Lands") then-situated in unincorporated areas of Salt Lake County were annexed into the Salt Lake County Water Conservancy District, now known as the Jordan Valley Water Conservancy District ("District"), in the 1950s and early 1960s;
- B. WHEREAS, Salt Lake City has developed over the years a water system to supply the Lands with culinary water, and Salt Lake City currently delivers water to the Lands;
- C. WHEREAS, the District has not supplied, does not now supply, and does not intend to supply culinary water to the Lands;
- D. WHEREAS, it has come to the District's attention that property taxes are levied on the Lands and that the District receives tax revenues from them;
- E. WHEREAS, it would be fair and equitable if the Lands were withdrawn from the District in order that they no longer be taxed for the benefit of the District;
- F. WHEREAS, the Board adopted Resolution No. 17-22 on November 8, 2017, and thereby expressed its intention to withdraw the Lands from the District;
- G. WHEREAS, Resolution No. 17-22 satisfied all requirements imposed by applicable law;

NOW, THEREFORE, BE IT RESOLVED by the Jordan Valley Water Conservancy District Board of Trustees:

1. The Board finds that the Lands are within the District, and that the District has not, does not, and will not serve culinary water to the Lands.

* This Resolution was approved and adopted by the Board of Trustees on January 10, 2018. It is adopted again on May 9, 2018, to accommodate compliance with Utah law.

2. The Board finds that Salt Lake City provides, and will continue to provide, water service to the Lands, and that Salt Lake City's water supply and delivery capabilities are substantially equivalent to those which could have been provided to the Lands by the District.

3. The Board finds that the Lands are taxed for the benefit of the District, and that it would be fair and equitable if that ceased.

4. The Board finds, pursuant to § 17B-1-510, that the Lands have obtained the same service from Salt Lake City that could be provided by the District.

5. The Board finds, pursuant to Utah Code Ann. § 17B-1-510, that the withdrawal of the Lands from the District will not result in a breach or default by the District or adversely affect the ability of the District to make any payments or perform any other material obligations, under:

(a) Any of its agreements with the United States or any agency of the United States;

(b) Any of its notes, bonds, or other debt or revenue obligations; or

(c) Any of its agreements with entities which have insured, guaranteed, or otherwise credit-enhanced any debt or revenue obligations of the District.

6. The Board finds, pursuant to Utah Code Ann. § 17B-1-510, that the withdrawal of the Lands from the District will not jeopardize the prompt payment of principal and of interest on the bonds of the District now outstanding or of the payment of installments of indebtedness or obligation under a contract.

7. The Board finds, pursuant to Utah Code Ann. § 17B-1-510, that withdrawal of the Lands from the District will not:

(a) result in the reduction or withdrawal of any rating on an outstanding note, bond, or other debt or revenue obligation of the District;

(b) create an island or peninsula of nondistrict territory within the District or of District territory within nondistrict territory that has a material adverse affect on the District's ability to provide service or materially increases the cost of providing service to the remainder of the District;

(c) materially impair the operations of the District; or

(d) require the District to materially increase the fees it charges or property taxes or other taxes it levies in order to provide to the remainder of the District the same level and quality of service that was provided before the withdrawal.

8. All District assets within the Lands, if any, shall remain the sole property of the District.

9. The Board hereby determines that the following are reasonable and appropriate conditions precedent to the Board's approval of this Resolution withdrawing the Lands from the District:

(a) At the time this Resolution was adopted, bonds of the District were outstanding and unpaid. Nevertheless, the Board hereby determines that real property within the Lands, because they will be withdrawn from the District, shall not continue to be taxable by the District for the purposes of paying their proportionate share of bonded indebtedness or judgments against the District incurred prior to the adoption of this Resolution.

(b) The District has entered into an agreement with the United States that requires the consent of the United States for the withdrawal of territory from the District. Accordingly, the District has taken such action(s) as it deemed appropriate to obtain the formal, written approval of the Bureau of Reclamation to the withdrawal of the Lands from the District on the terms set forth in this Resolution. The withdrawal of the Lands from the District shall not be effective unless and until written consent of the United States is obtained and filed with the Board. The Clerk of the District is authorized and directed to note the date of the receipt in the space indicated below.

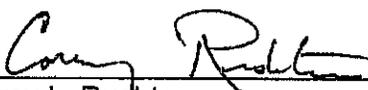
10. The Board hereby approves the withdrawal of the Lands from the District, effective as of May 9, 2018, subject to the terms and conditions set forth in this Resolution.

11. All requirements applicable to the withdrawal of the Lands have been met.

12. The District Clerk shall file this Resolution and appropriate paperwork, provide appropriate notice, and undertake those acts, all as required by the "Limited Purpose Local Government Entities -- Local Districts Act" (§§ 17B-1-101 et seq.) and the "Water Conservancy District Act" (§§ 17B-2a-1001 et seq.), to complete and effectuate the withdrawal of the Lands from the District.

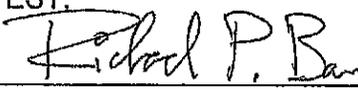
Resolution of the Board of Trustees (No. 18-11)
May 9, 2018
Page 4

PASSED, ADOPTED, and APPROVED this 9th day of May, 2018.



Corey L. Rushton
Chair of the Board of Trustees

ATTEST:



Richard P. Bay, Clerk

Resolution of the Board of Trustees (No. 18-11)
May 9, 2018
Page 5

The written consent of the United States to the withdrawal of Lands contemplated by this Resolution, as set forth above in paragraph 9(b), was received and filed with the Board of Trustees on February 20, 2018.

Dated: _____, 2018.

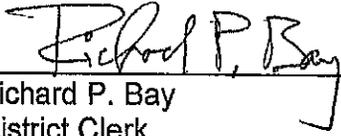
By: 
Richard P. Bay
District Clerk

EXHIBIT 1

DESCRIPTION OF WITHDRAWN LANDS

FINAL LOCAL ENTITY PLAT
SOUTH SALT LAKE CITY PLAT 2
 PROPERTIES BETWEEN JORDAN RIVER AND
 UNION PACIFIC RAILROAD WITHDRAWN FROM
 JORDAN VALLEY WATER CONSERVANCY
 DISTRICT, MARCH 2018.

SEE SHEET 2 AND 3 FOR DESCRIPTION OF WITHDRAWN LAND

LEGEND:

- ① PARCEL NOT BELONGING TO A SUBDIVISION
PARCELS TO BE WITHDRAWN FROM THE JORDAN VALLEY
WATER CONSERVANCY DISTRICT
- MUNICIPALITY BOUNDARY
- DISTRICT SERVICE BOUNDARY
- SUBDIVISION BOUNDARY
- SECTION LINE
- QUARTER SECTION LINE
- BASIS OF BEARING + DISTANCE STATE PLANE NAD83 CENTRAL ZONE

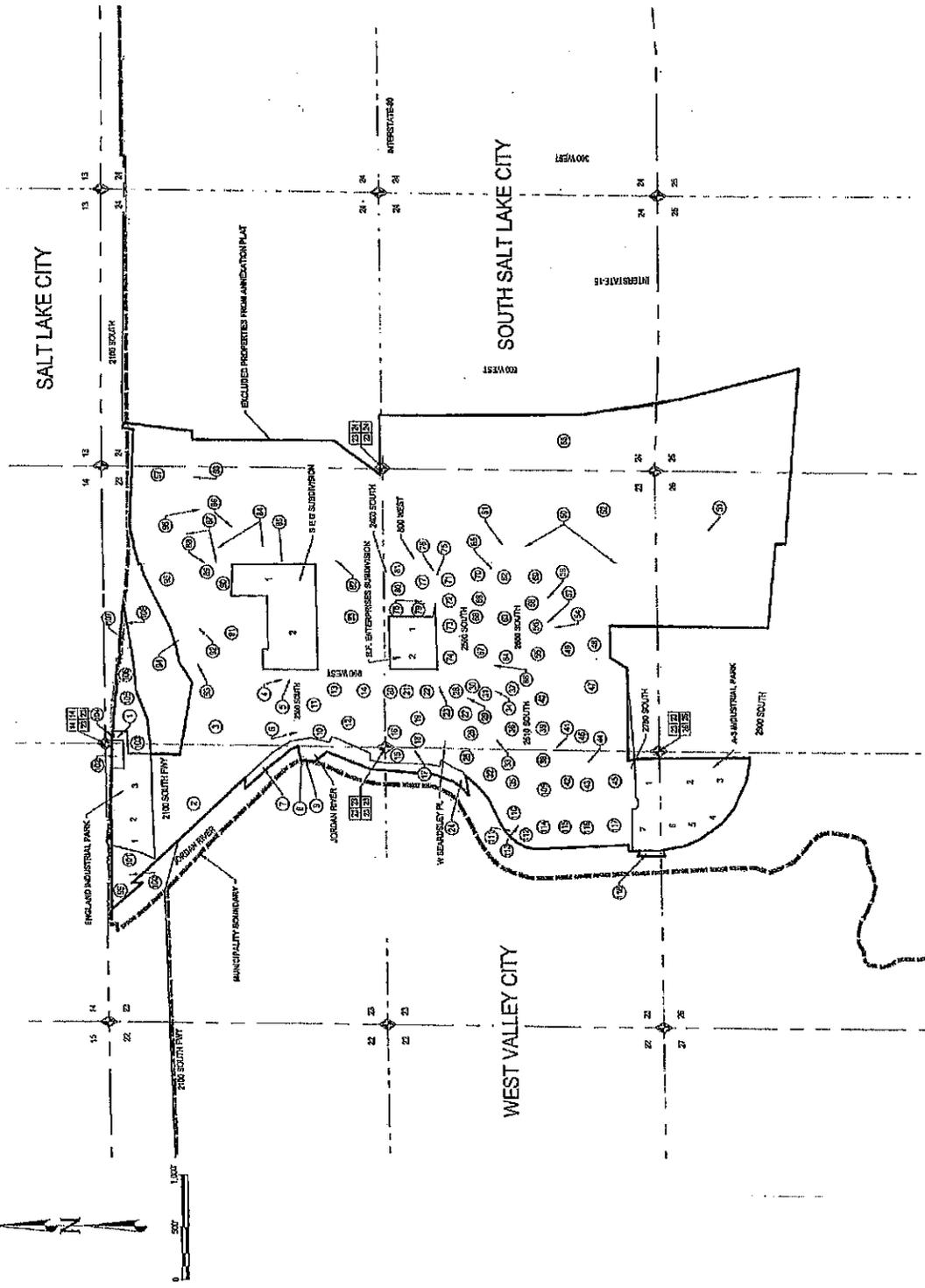
SURVEYOR'S CERTIFICATE

I, STEPHEN COLLEER, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HOLD CERTIFICATE NO. 40388 AS FURNISHED BY THE STATE OF UTAH. DO HEREBY CERTIFY THAT A FINAL LOCAL ENTITY PLAT IN ACCORDANCE WITH UTAH CODE ANN. § 17-2-203, WAS MADE SUBJECT TO THE FOLLOWING RECORDS IN THIS AND CORRECT REPRESENTATION OF SUBPARCEL LOCAL ENTITY PLAT.



SHEET 1 OF 3

STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE
 REGISTER'S OFFICE
 RECORDED # _____ PAGE _____
 DATE _____ TIME _____ BOOK _____
 FILE # _____
 SALT LAKE COUNTY RECORDER



THE PURPOSE OF THIS MAP:
 THE PURPOSE OF THIS MAP IS TO IDENTIFY THOSE PROPERTIES WITHIN SOUTH SALT LAKE CITY, SALT LAKE COUNTY THAT ARE TO BE DE-WITHDRAWN FROM JORDAN VALLEY WATER CONSERVANCY DISTRICT.

SALT LAKE COUNTY SURVEYOR
 APPROVED THIS 6TH DAY OF JULY 2018 AS A FINAL LOCAL ENTITY PLAT BY THE SALT LAKE COUNTY SURVEYOR
Steph Colleer

JORDAN VALLEY WATER CONSERVANCY DISTRICT
 APPROVED THIS 6TH DAY OF JULY 2018
 BY *Richard P. Day*
 TITLE *Conservancy Director*

CALDWELL RICHARDS SORENSEN
 REGISTERED PROFESSIONAL SURVEYORS
 1000 WEST 1000 SOUTH
 SALT LAKE CITY, UTAH 84119
 PHONE 801-533-5888
 FAX 801-533-6075
 www.caldwellsorenson.com

